

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

**MICHAEL B. JAMES,**

Plaintiff,

v.

**CITY OF OMAHA,**

Defendant.

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**8:07CV121**

ORDER SETTING  
SCHEDULE FOR  
PROGRESSION OF CASE

In order to progress this case to final resolution:

IT IS ORDERED:

1. Deposition and discovery deadline. All depositions, whether or not they are intended to be used at trial, shall be completed by **November 1, 2007**. All interrogatories, requests for admission and requests for production or inspection, whether or not they are intended to be used at trial, shall be served on or before **September 24, 2007**.

2. Motions to compel discovery shall be filed on or before **November 1, 2007**. The parties need not comply with the provisions of NECivR 7.1(i) before filing a motion to compel.

3. Dispositive Motions. All dispositive motions shall be filed on or before **December 3, 2007**. The parties must comply with the NECivR 7.1(a-h) and NECivR 56.1 when filing summary judgment motions.

4. Pretrial Conference.

a. Defense counsel will have the primary responsibility for drafting the Order on Final Pretrial Conference, pursuant to the format and requirements set out in NeCivR 16.2(a)(2). The plaintiff will be responsible for cooperating in the preparation and signing of the final version of the Order. The Order should be submitted to the plaintiff and to any other parties by **December 3, 2007**. The plaintiff shall provide additions and/or proposed deletions to Defense counsel by **December 17, 2007**. Defense counsel shall submit the Proposed Order on Final Pretrial Conference to the court by no later than **December 31, 2007**. If a party proposes an addition or deletion which is not agreed to by all the other parties, that fact should be noted in the text of the document. The Proposed Order

on Final Pretrial Conference must be signed by all pro se parties and by counsel for all represented parties.

- b. The Final Pretrial Conference will be held before Magistrate Judge David L. Piester on **January 10, 2008 at 11:00 a.m.** Prior to the pretrial conference, all items as directed in NECivR 16.2 and full preparation shall have been completed so that trial may begin at any time following the Pretrial Conference.
- c. If a plaintiff is held in an institution, the pretrial conference will be by telephone. In that case, Defense counsel shall contact the plaintiff's institution in advance and arrange to initiate and place the conference call.

5. The trial date will be set by Magistrate Judge Piester at the time of the Final Pretrial Conference.

- 6. The Clerk of the court is directed to set a pro se case management deadline in this case using the following text "Pretrial conference before Magistrate Judge Piester to be held on the **January 10, 2008.**"

Dated this 23rd day of August, 2007.

BY THE COURT:

s/ David L. Piester

David L. Piester  
United States Magistrate Judge